

Message Text

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PAGE 01 STATE 212616

70

ORIGIN PM-04

INFO OCT-01 IO-13 ISO-00 SP-02 OES-06 ACDA-07 L-03 ERDA-05

CIAE-00 DODE-00 H-02 INR-07 NSAE-00 NSC-05 PA-01

PRS-01 SS-15 USIA-06 EB-07 FEA-01 NRC-05 /091 R

DRAFTED BY PM/NPO;WGHEISER/DS

APPROVED BY PM/NPO:LVNOSENZO

S/P-MR. KALICKI

OES/NET-MR. DEVINE

ACDA-MR. VAN DOREN

L/OES-MR. BETTAUER

IO/SCT-MR. CAVANAUGH

ERDA/AIA-MS. MCFADDEN

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P 262229Z AUG 76

FM SECSTATE WASHDC

TO USMISSION IAEA VIENNA PRIORITY

C O N F I D E N T I A L STATE 212616

E.O. 11652: GDS

TAGS: TECH, PARM, IAEA

SUBJECT: UK DRAFT FULL-SCOPE SAFEGUARDS AGREEMENT

1. BRITISH EMBOFF CALLED ON DEPARTMENT OFFICIAL TO REQUEST THAT US EXPEDITE ITS RESPONSE ON UK DRAFT FULL-SCOPE SAFEGUARDS AGREEMENT SUBMITTED TO THE IAEA SECRETARIAT. ACCORDING TO THE BRITISH OFFICER, THE US AND OTHER COUNTRIES HAD BEEN ASKED TO PROVIDE COMMENTS TO THE SECRETARIAT, AND THE US IS THE ONLY COUNTRY WHOSE RESPONSE HAS NOT YET BEEN RECEIVED.

2. CONVERSATION BETWEEN MR. CAVANAUGH (IO/SCT), MISSION, AND AMBASSADOR STONE CONFIRMS FACT THAT NEITHER MISSION NOR DEPARTMENT HAS RECEIVED A FORMAL REQUEST BY IAEA
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PAGE 02 STATE 212616

SECRETARIAT FOR US COMMENTS ON UK DRAFT AGREEMENT.

WITH THIS IN MIND, DEPARTMENT PROPOSES TO FORMULATE USG RESPONSE AND PROVIDE IT INFORMALLY TO UK EMBASSY, WASHINGTON NOTING THAT UPON RECEIPT OF FORMAL REQUEST BY IAEA SECRETARIAT, THE TEXT OF THE INFORMAL REPLY WILL BE TRANSMITTED AS OFFICIAL USG RESPONSE TO THE SECRETARIAT BY MISSION.

3. MISSION'S COMMENTS ON TEXT OF UK DRAFT AGREEMENT SHOULD BE FORWARDED TO DEPARTMENT AS SOON AS POSSIBLE FOR INCLUSION IN COMMENTS ON UK SAFEGUARDS AGREEMENT. FOR YOUR CONSIDERATION, ERDA COMMENTS FOLLOW:

A. WITH REFERENCE TO COVER SHEET PARA. NO. 4, WE BELIEVE THAT ARTICLES 91-97 SHOULD BE MODIFIED AS NECESSARY TO COVER NOTIFICATION ON EXPORTS OF FACILITIES, ETC., AS REQUIRED BY ARTICLE 12.

B. RE BRACKETED LAST SENTENCE OF ARTICLE 12, WE TEND TO THINK THIS SHOULD BE INCLUDED BUT SHOULD BE MODIFIED BY CHANGING FINAL PERIOD TO A COMMA AND ADDING: "EXCEPT TO THE EXTENT THAT SAFEGUARDS ARE REQUIRED ON SUCH ITEMS UNDER ANY OTHER AGREEMENT TO WHICH (COUNTRY) AND THE AGENCY ARE PARTIES AND WHICH IS IN EFFECT AT THE TIME THE PRESENT AGREEMENT ENTERS INTO FORCE OR WHICH SUBSEQUENTLY ENTERS INTO FORCE." (THIS WOULD COVER, FOR EXAMPLE, PLUTONIUM TRANSFERRED TO U.S. WHICH HAS BEEN PRODUCED IN INDIA.)

C. WE ARE PARTICULARLY INTERESTED IN MISSION'S REACTION TO ARTICLE 25. KISSINGER

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